

1 **HOFLAND & TOMSHECK**

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8 *Attorney for Defendant Phillip Allerson Vaughn*

9
10 **IN THE UNITED STATE DISTRICT COURT**
11 **FOR THE DISTRICT OF NEVADA**

12 UNITED STATES OF AMERICA

13 Case No.: 2:14-MJ-00748-VCF

14 Plaintiffs,

15 vs.

16 PHILLIP ALLERSON VAUGHN,

17 Defendants.

18
19 **STIPULATION TO CONTINUE**
20 **PRELIMINARY HEARING**
21 **(SECOND REQUEST)**

22
23 IT IS HEREBY STIPULATED AND AGREED by and between DANIEL COWHIG,
24 Assistant United States Attorney, and KATHRYN NEWMAN, Assistant United States Attorney;
25 And JOSH TOMSHECK, ESQ., counsel for Defendant, PHILLIP VAUGHN; that the preliminary
26 hearing currently scheduled for December 18, 2014 at the hour of 4:00 p.m., be vacated until
27 January 15, 2015 at the hour of 4:00 p.m.

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29 This Stipulation is entered into for the following reasons:

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31 1. The parties are attempting to resolve the case with a pre-indictment plea and require
32 additional time to investigate, negotiate and discuss the terms of the potential plea.

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34 2. Denial of this request for continuance of the preliminary hearing would prejudice
35 Defendant Vaughn and the Government and unnecessarily consume this Court's valuable resources,
36 taking into account the exercise of due diligence.

37
38 3. Additionally, denial of this request for continuance could result in a miscarriage of justice.

39
40 4. The additional time requested by this Stipulation is excludable in computing the time
41 within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United
42 States Code §§ 3161(b) and 3161(h)(8)(A), considering the factors under Title 18, United
43 States Code § 3161(h)(8)(B)(I) and (iv).

1
2 This is the second request to continue the preliminary hearing date filed herein.
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4

5 DATED this 17th day of December, 2014.
6

7 DANIEL G. BOGDEN
8 UNITED STATES ATTORNEY

9 By:

10 */s/_Dan Cowhig* _____
11 DAN COWHIG, ESQ.
Assistant United States Attorney

10 */s/_Kathryn Newman* _____
11 KATHRYN NEWMAN, ESQ.
Assistant United States Attorney

14 */s/_Josh Tomsheck* _____
15 JOSH TOMSHECK, ESQ.
Nevada Bar No. 009210
16 Attorney for Defendant Phillip Allerson Vaughn
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Attorney for Defendant P

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEVADA**

UNITED STATES OF AMERICA

Case No.: 2:14-MJ-00748-VCF

Plaintiffs,

VS.

PHILLIP ALLERSON VAUGHN,

**ORDER CONTINUING
PRELIMINARY HEARING**

Defendants.

Based upon the pending Stipulation of counsel, and good cause appearing therefor, the Court hereby finds that:

IT IS HEREBY ORDERED that the preliminary hearing in the above-captioned matter currently scheduled for December 18, 2014 at 4:00 p.m., be vacated and continued to January 16, 2015 at the hour of 4:00 p.m.,
courtroom 3D.

18th

December

DATED AND DONE this _____ day of December, 2014.

Respectfully Submitted By:

UNITED STATES MAGISTRATE JUDGE

/s/ Josh Tomsheck

✓/✓, Josh Tomsheck

JOSH TOMSHEK, Esq.
Nevada Bar No. 009210

Nevada Bar No. 009210
Attorney for Defendant Phillip Allerson Vaughn